

## **REMARKS**

Claims 3 and 8 have been amended. Claims 1-15 are pending in the application. Reconsideration is respectfully requested in light of the following remarks.

### **Section 112 Rejections:**

Section 3 of the Office Action rejected claims 3 and 8 under 35 U.S.C. § 112, second paragraph as being incomplete for omitting essential structural cooperative relationships of elements.

With regard to claims 3 and 8, the Office Action states “the phrase ‘said erroneous data’ in claim 3, line 27 and in claim 8, line 17 is not known to independent claims 1 and 6”.

Accordingly, Applicants have made minor amendments to claims 3 and 8 to overcome the rejection.

### **Section 103(a) Rejections:**

Section 4 of the Office Action rejected claims 1-15 under 35 U.S.C. § 103(a) as being unpatentable over Gonzales et al., U.S. Patent Number 6,101,614, (hereinafter “Gonzales”). The Applicants respectfully traverse.

Claim 1 recites, in pertinent part, “wherein said control unit is further configured to subsequently detect said indication in said storage unit and to responsively perform a subsequent read of said data from said memory subsystem and to write a corrected version of said data within said memory subsystem.”

Gonzales, at column 3, lines 1-34, discloses “Data read from memory is checked for errors and stored in the data read buffer. If the memory controller detects a correctable ECC error in the read data, it corrects the data as it is being written into the read buffer... the memory control logic issues a memory scrub command... to signal that the corrected data within the read buffer is to be written back to the memory location from which it came... the selected control source then asserts a read strobe to the read data buffer to read the data out of the buffer... the corrected data is written to the location in memory specified by the original read request.”

From the foregoing, it appears that Gonzales teaches a system similar to that described in the AAPA [*see background*]. As such, Gonzales teaches retaining the corrected data within a read buffer and therefore teaches away from the Applicants’ invention. Accordingly, Gonzales **neither** teaches **nor** suggests “responsively perform a subsequent read of said data from said memory subsystem” as recited in claim 1. The Applicants believe claim 1, along with its dependent claims, to patentably distinguish over the cited art.

Claims 6 and 11 recite features similar to the features recited in claim 1. Therefore, Applicants believe claims 6 and 11, along with their dependent claims, to patentably distinguish over the cited art for at least the reasons given above with respect to claim 1.

## CONCLUSION

Applicants submit the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5500/6770.

Respectfully submitted,



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